

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION – CINCINNATI

BLAKE ANDERSEN,)	Case No.: 1:22-cv-00221
)	
vs.)	Plaintiff,) REMOVED FROM COMMON PLEAS
)	COURT OF WARREN COUNTY,
)	OHIO (CASE NO. 22 CV 95012)
RUAN TRANSPORTATION)	JUDGE
MANAGEMENT SYSTEMS, INC., ET AL.)	
)	Defendants.)
)	
)	

NOTICE OF REMOVAL
TO FEDERAL COURT

Defendants Ruan Transport Corp. (incorrectly named “Ruan Transportation, Inc.” in the Complaint), Ruan Transportation Management Systems, Inc. (listed three times in the caption of the Complaint), and Willie Burns, Jr., by and through their undersigned counsel, and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby give notice of the removal of the above-referenced matter from the Common Pleas Court of Warren County, Ohio, in which it is now pending, to the United States District Court for the Southern District of Ohio, Western Division.

1. This is a personal injury action that was filed in the Common Pleas Court of Warren County, Ohio on March 24, 2022, bearing Case No. 22 CV 95012.
2. Defendant Ruan Transportation Management Systems, Inc. was served with the Summons and Complaint on March 28, 2022.
3. Defendant Ruan Transport Corp. (incorrectly named “Ruan Transportation, Inc.” in the Complaint), was served with the Summons and Complaint on March 29, 2022.
4. Defendant Willie Burns, Jr., was served with the Summons and Complaint sometime after March 24, 2022.

5. Plaintiff Blake Andersen is an Ohio citizen who resides in Kings Mills, Ohio.

6. Defendant Ruan Transport Corp. is an Iowa corporation with its principal place of business in Iowa. As such, it is a citizen of Iowa.

7. Defendant Ruan Transportation Management Systems, Inc. is an Iowa corporation with its principal place of business in Iowa. As such, it is a citizen of Iowa.

8. Defendant Willie Burns, Jr. is a Maryland citizen who resides in Springdale, Maryland.

9. There is diversity of parties.

10. Since the Ohio Rules of Civil Procedure prohibit plaintiffs from stating a specific amount of money damages sought in a pleading, Plaintiff has demanded an unspecified amount of compensatory damages in his Complaint. The following demonstrates satisfaction of the amount in controversy requirement for removal to Federal Court:

a. Plaintiff alleges in his Complaint that, as a direct and proximate result of Defendants' actions, he "suffered serious and permanent injuries which caused pain, physical and mental suffering, disability and permanent damage." (Comp. at ¶ 8).

b. Plaintiff alleges in his Complaint that, as a direct and proximate result of Defendants' actions, he needed medical care and treatment and will, in all likelihood, need additional medical care and treatment in the indefinite future." (Id. at ¶ 9).

c. Plaintiff alleges in his Complaint that, as a direct and proximate result of Defendants' actions, he "has incurred medical and hospital expenses and

will, in all likelihood, incur further such expenses in the indefinite future.” (Id. at ¶ 10).

- d. Plaintiff alleges in his Complaint that, as a direct and proximate result of Defendants’ actions, he “has lost time and earnings from his employment and will, in all likelihood, lose further time and earnings in the indefinite future” (Id. at ¶ 11).
- e. Plaintiff alleges in his Complaint that, as a direct and proximate result of Defendants’ actions, Plaintiff’s “future earning capacity has been permanently impaired.” (Id. at ¶ 11).

11. The allegations set forth above demonstrate that the amount in controversy requirement for diversity jurisdiction has been met.

12. Pursuant to 28 U.S.C. §§ 1441(b) and (c) and 28 U.S.C. § 1332 (a), this lawsuit may be removed from the Common Pleas Court of Warren County, Ohio to the United States District Court for the Southern District of Ohio, Western Division.

13. Defendants attach hereto a copy of all process, pleadings and orders on file in said state proceeding and a copy of the Notice of Filing Notice of Removal which Defendant will serve upon Plaintiff promptly after the filing of this Notice of Removal, pursuant to 28 U.S.C. § 1446(a). See Exhibit A.

14. Defendants will file a copy of the Notice of Removal with the Clerk of Common Pleas Court of Warren County, Ohio immediately after filing hereof.

15. No further proceedings have commenced in this action in the Warren County Court of Common Pleas.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS
RUAN TRANSPORTATION
MANAGEMENT SYSTEMS, INC.,
RUAN TRANSPORT CORP. AND
WILLIE BURNS, JR.

PROOF OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing has been served upon the following parties via the Court's electronic filing system this 25th day April 2022. Notice of this filing will be sent to all parties registered to receive service through the Court's electronic filing system. Parties may access this filing through the Court's electronic filing system.

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